



Nick Mirr
Federal Defenders of Eastern Washington and Idaho
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Attorney for Zebulion Ian Lister

United States District Court
Eastern District of Washington
Honorable Mary K. Dimke

United States,

Plaintiff,

v.

Zebulion Ian Lister,

Defendant.

No. 1:22-CR-2006-MKD-1

Unopposed Motion to Continue
Trial and to Set New Pretrial
Conference and Related Deadlines

April 18, 2023 – 6:30 p.m.
Yakima—Without Oral Argument

1 Defendant, Zebulion Ian Lister, by and through his attorney, Nick Mirr, for the
2 Federal Defenders of Eastern Washington and Idaho, hereby moves this Court for an
3 order continuing the pretrial conference and trial currently scheduled in this case and
4 also to extend the deadlines for filing pretrial motions. The pretrial conference in this
5 case is currently set for April 18, 2023, and trial is currently scheduled for May 8, 2023.
6 This is Mr. Lister's first request for a continuance.

7 Defense counsel and Mr. Lister have started the process of reviewing and
8 evaluating the discovery provided in this matter and continue to meet and discuss this
9 case. Additionally, defense counsel continues to conduct investigation into this matter.
10 Mr. Lister and defense counsel continue to have discussions regarding all of his options
11 for resolving this case, up to and including trial, based on both a review of the discovery
12 and the investigation that has been conducted. However, to ensure Mr. Lister has
13 sufficient time to process and evaluate the discovery, conduct additional investigation,
14 research and evaluate any potential pretrial motions, and consult with any potential
15 expert witnesses, more time is needed.

16 Mr. Lister discussed with counsel the need for a continuance and reviewed and
17 signed the attached speedy trial waiver and statement of reasons. After a discussion of
18 the continuance and reviewing the statement of reasons in support of the motion to
19 continue, Mr. Lister agrees that a continuance of his trial is necessary to ensure defense
counsel will effectively represent him.

Motion to Continue

1 Defense counsel has conferred with Assistant United States Attorney Todd
2 Swensen, regarding the requested continuance and prepared a joint proposed case
3 management deadlines table. Mr. Swensen has no objection to the continuance.
4 Defense counsel will file the joint proposed deadlines along with this instant motion.

5 Accordingly, Mr. Lister respectfully requests the Court grant a continuance of
6 the pretrial conference date from April 18, 2023, to July 11, 2023 and a continuance of
7 the trial date from May 8, 2023, to July 31, 2023.

8 Dated: April 14, 2023.

Federal Defenders of Eastern Washington & Idaho
Attorneys for Zebulion Ian Lister

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10 s/ Nick Mirr

Nick Mirr, AT0014467

11 Iowa State Bar Ass'n

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1 Service Certificate

2 I certify that on April 14, 2023, I electronically filed the foregoing with the
3 Clerk of the Court using the CM/ECF System, which will notify Assistant United
4 States Attorneys: Todd Swensen.

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